

# LYON COUNTY WATER DISTRICT

P.S.C. Ky. No.....

Cancels P.S.C. Ky. No.....

LYON COUNTY WATER DISTRICT

OF

Eddyville, Kentucky

**Rates, Rules and Regulations for Furnishing**  
**Water Service**

AT

Lyon County

**PUBLIC SERVICE COMMISSION**  
**OF KENTUCKY**  
**EFFECTIVE**

NOV 07 1987

PURSUANT TO 807 KAR 5:011,  
SECTION 9(1)

BY: George Miller  
PUBLIC SERVICE COMMISSION MANAGER

**Filed with PUBLIC SERVICE COMMISSION OF**  
**KENTUCKY**

ISSUED October 7, 1987

EFFECTIVE November 7, 1987

ISSUED BY Lyon County Water District  
(Name of Utility)

BY Don Robertson, Chairman

Donald Robertson, Chairman

## EXHIBIT D

Form for filing Rate Schedules

For: Lyon County, KY

P.S.C. # 1First Revised Sheet # 1Cancelling P.S.C. # 1Original Sheet # 1

Lyon County Water District

Name of Issuing Corporation  
=====

## CLASSIFICATION OF SERVICE

				RATE PER UNIT
5/8" METER:				
First	2,000 gallons	Minimum		\$12.74
Next	3,000 gallons	per 1,000 gallons		\$5.32
Next	5,000 gallons	per 1,000 gallons		\$3.92
Next	10,000 gallons	per 1,000 gallons		\$2.52
Over	20,000 gallons	per 1,000 gallons		\$2.17
3/4" METER:				
First	4,000 gallons	Minimum		\$23.38
Next	1,000 gallons	per 1,000 gallons		\$5.32
Next	5,000 gallons	per 1,000 gallons		\$3.92
Next	10,000 gallons	per 1,000 gallons		\$2.52
Over	20,000 gallons	per 1,000 gallons		\$2.17
1" METER:				
First	15,000 gallons	Minimum		\$60.90
Next	5,000 gallons	per 1,000 gallons		\$2.52
Over	20,000 gallons	per 1,000 gallons		\$2.17
1 1/2" Meter:				
First	25,000 gallons	Minimum		\$84.35
Over	25,000 gallons	per 1,000 gallons		\$2.17
2" METER:				
First	45,000 gallons	Minimum		\$127.75
Over	45,000 gallons	per 1,000 gallons		\$2.17

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

JUN 1 1989

PURSUANT TO 807 KAR 5:011,  
SECTION 9 (1)

BY: *[Signature]*  
PUBLIC SERVICE COMMISSION MANAGER

Date of issue: May 22, 1989

Date effective: June 1, 1989

Issued by: Don Robertson

Title: Chairman

Issued by authority of an Order of the Public Service Commission of  
Kentucky in case no. 89-144 dated June 16, 1989.

Form for filing Rate Schedules

For Lyon County  
Community, Town or City

P.S.C. NO. 1

First Revised SHEET NO. 2

Lyon County Water District  
Name of Issuing Corporation

CANCELLING P.S.C. NO. 1

Original SHEET NO. 2

CLASSIFICATION OF SERVICE

	RATE PER UNIT	
<u>Tap Fees</u>		
5/8-inch meter	\$500.00	I
3/4-inch meter	550.00	I
1-inch meter	600.00	I
Larger meters	Actual Cost	N
<u>Non-recurring Charges</u>		
Trip to recheck meter reading	\$15.00	
Meter test and adjustment	28.50	
Re-establish discontinued service (Meter physically removed)	35.00	
Reconnection (Water disconnected but meter remains in place)	20.00	N
<p>PUBLIC SERVICE COMMISSION OF KENTUCKY EFFECTIVE</p> <p>NOV 07 1987</p> <p>PURSUANT TO 807 KAR 5:011, SECTION 9(1)</p> <p>BY: <u>Don Robertson</u> PUBLIC SERVICE COMMISSION MANAGER</p>		

DATE OF ISSUE October 7, 1987

DATE EFFECTIVE November 7, 1987

ISSUED BY Don Robertson  
Name of Officer

TITLE Chairman

Issued by authority of an Order of the Public Service Commission of Kentucky  
in Case No. 9872 dated September 8, 1987.

FOR Lyon County

P.S.C. Ky. No. 1

First Revised Sheet No. 3

Lyon County Water District

Cancelling P.S.C. Ky. No. 1

Original Sheet No. 3

## RULES AND REGULATIONS

This schedule of Rules and Regulations governs the furnishing of water service by Lyon County Water District, hereinafter referred to as the Utility, and applies to all service received from the Utility. No employee or individual director of the Utility is permitted to make an exception to Rates, Rules or Regulations. All Rules and Regulations are to be in effect so long as they are not in conflict with Public Service Commission Rules and Regulations. The Utility is further subject to all Rules and Regulations of the Commission even though not contained herein. These Rules and Regulations may be revised, amended, supplemented or otherwise changed from time to time subject to approval of the Public Service Commission.

### SERVICE AREA AND AVAILABILITY OF SERVICE

The Utility will furnish water service within the area of Lyon County, Kentucky. Water service is available to any domestic, commercial or industrial consumer within the service area. No customer shall resell water except under the terms of a special contract entered into with the Utility and approved as may be required by 807 KAR 5:011, Section 13.

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### METERING

All single occupancy premises shall be individually metered. Multi-unit premises and mobile home parks may be served through a master meter where the Utility determines individual metering is not feasible. The size of any such master meter must be approved in advance by the Utility.

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PURSUANT TO 807 KAR 5:011, SECTION 9(1)  
BY: George L. Miller  
PUBLIC SERVICE COMMISSION MANAGER

### CUSTOMER RESPONSIBILITY

Each prospective customer desiring water service shall be required to sign the Utility's standard Water Users Agreement before service will be supplied by the Utility.

The customer shall be responsible for all plumbing installed on his property beginning at the outlet side of the meter, said installation to be in accordance with applicable rules and regulations and approved by the Utility. The customer shall be responsible for maintenance of this portion of the service facilities.

DATE OF ISSUE October 7, 1987

DATE EFFECTIVE November 7, 1987

ISSUED BY

Don Robertson  
Name of Officer

Chairman

Title

P.O. Box 675, Eddyville, KY

Address

FOR Lyon County

P.S.C. Ky. No. 1

First Revised Sheet No. 4

Lyon County Water District

Cancelling P.S.C. Ky. No. 1

Original Sheet No. 4

### RULES AND REGULATIONS

Customers shall provide reasonable protection for the equipment of the Utility installed on his premises and shall not tamper or interfere with the Utility's property or permit others to do so. Customers shall permit access to such Utility property by duly authorized representatives of the Utility.

No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, meter, or equipment which is a part of the Utility's waterworks. Any person violating this provision shall be subject to discontinuance of water service and payment for the cost of repairs or replacements as may be determined by a court having jurisdiction over **PUBLIC SERVICE COMMISSION**

No connections shall be made the Utility's lines except by **EFFECTIVE** the supervision of a duly authorized officer, agent or employee of the Utility.

NOV 07 1987

Customers shall give immediate notice to the Utility of irregularities, unsatisfactory service, or defects known to the customer. **PURSUANT TO 807 KAR 5:011, SECTION 9 (1)**

BY: [Signature]  
PUBLIC SERVICE COMMISSION MANAGER

### UTILITY'S RESPONSIBILITY

The Utility is responsible for water failure only when in control of the Utility, and shall pay damages for equipment only where such damages are specifically found to be caused by an act of negligence on the part of the Utility or its employees.

The Utility shall be responsible for the maintenance of that portion of the service line from the inlet side of the meter installed by the Utility and the metering equipment. The Utility may at any time deemed necessary, suspend water service to consumer(s) for the purpose of making repairs, changes or improvements upon any part of its system. The Utility shall give reasonable notice of such suspension of services to consumers.

Upon request, a customer may have his meter tested and adjustments will be made to the bill where the meter is found to be more than two

DATE OF ISSUE October 7, 1987

DATE EFFECTIVE November 7, 1987

Month Day Year

Month Day Year

ISSUED BY

[Signature]  
Name of Officer

Chairman

Title

P.O. Box 675, Eddyville, KY

Address

FOR Lyon County

P.S.C. Ky. No. 1

First Revised Sheet No. 5

Lyon County Water District

Cancelling P.S.C. Ky. No. 1

Original Sheet No. 5

### RULES AND REGULATIONS

(2) percent fast or slow, in accordance with 807 KAR 5:006, Section 9, provided request by the customer is not more frequent than once each twelve (12) months. If such test shows the meter to be less than two (2) percent fast, a charge of \$28.50 will be made provided the meter has been tested within the periodic test interval prescribed by 807 KAR 5:066, Section 17; if not, no charge will be made for the test.

#### DEPOSITS

The Utility may require from any customer or applicant for service a cash deposit or other guaranty to secure payment of bills not to exceed two-twelfths (2/12) of the estimated annual bill of such customer or applicant where bills are rendered monthly, or three-twelfths (3/12) of the estimated annual bill where bills are rendered bimonthly, or four-twelfths (4/12) of the estimated annual bill where bills are rendered quarterly. Interest at the rate of six percent (6%) per annum will be paid on deposits so required accruing from the date of deposit.

#### BILLING, COLLECTION AND PENALTIES

Meters shall be read monthly commencing on the 15th day of each calendar month and shall be completed as soon thereafter. Bills will be due and payable no later than the 10th day of the following month. A 10% late payment penalty charge will be applicable after the due date of any account. In the event weather or other conditions prevent the reading of meters in a particular month, bills may be estimated for that month and any necessary adjustments made on the next monthly billing. Any bill that is estimated shall be clearly marked showing that it has been estimated.

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PURSUANT TO 807 KAR 5:011,  
SECTION 9 (1)  
BY: Shore Miller  
PUBLIC SERVICE COMMISSION MANAGER

#### DISCONTINUANCE OF SERVICE

Water service will be terminated within 24 hours after receiving a request from a customer either in person or in writing.

DATE OF ISSUE October 7, 1987

DATE EFFECTIVE November 7, 1987

Month Day Year

Month Day Year

ISSUED BY Don Robertson  
Name of Officer

Chairman  
Title

P.O. Box 675, Eddyville, KY  
Address

FOR Lyon County

P.S.C. Ky. No. 1

First Revised Sheet No. 6

Lyon County Water District

Cancelling P.S.C. Ky. No. 1

Original Sheet No. 6

### RULES AND REGULATIONS

The Utility may refuse or discontinue service to an applicant or customer after proper notice as provided by 807 KAR 5:006, Section 11, for failure to comply with its rules and regulations or state and municipal rules and regulations, when a customer or applicant refuses or neglects to provide reasonable access to the premises, for fraudulent or illegal service, or for nonpayment of bills. If discontinuance is for non-payment of bills, the customer shall be given at least 48 hours written notice, separate from the original bill, and cut-off shall be effected not less than 20 days after the mailing date of the original bill unless, prior to discontinuance, the customer delivers to the utility office, payment of the amount in arrears or a written certificate signed by a physician, registered nurse, or health officer stating that, in the opinion of the person making certification, discontinuance of service will aggravate an existing illness or infirmity. In such instance, discontinuance shall not be effected until the affected resident can make other living arrangements or until 10 days lapse from the time of the Utility's termination notice, advising the customer in writing of the existence of local, state and federal programs providing for the payment of utility bills under certain conditions and of the offices to contact for such possible assistance.

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PURSUANT TO 807 KAR 5:011,  
SECTION 9(1)  
BY: Shane Miller  
PUBLIC SERVICE COMMISSION MANAGER

### SPECIAL CHARGES

The following charges will be made:

If a customer requests the Utility to recheck a meter reading and the original reading is found to be correct, a charge of \$15.00 will be made.

When a customer requests a meter test, and the meter is found to be less than 2% fast or slow, a charge of \$28.50 will be made, provided the meter has been tested within the prescribed periodic test interval.

Where the service has been discontinued at the customer's request and the meter has been physically removed, then is subsequently re-established for that customer, a charge of \$35.00 will be made.

DATE OF ISSUE October 7, 1987

DATE EFFECTIVE November 7, 1987

ISSUED BY

Don Robertson  
Name of Officer

Chairman

Title

P.O. Box 675, Eddyville, KY

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FOR Lyon County

P.S.C. Ky. No. 1

Original Sheet No. 7

Cancelling P.S.C. Ky. No.           

Sheet No.           

Lyon County Water District

### RULES AND REGULATIONS

Where service has been discontinued, but the meter is left in place, a charge of \$20.00 will be made when service is reconnected.

#### LINE RELOCATION

When lines or facilities are moved or relocated upon request, the cost of such move or relocation shall be paid by the party or parties making the request.

#### EXTENSIONS OF SERVICE

Extensions of service shall be made in accordance with 807 KAR 5:066, Section 12.

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NOV 07 1987

PURSUANT TO 807 KAR 5:011,  
SECTION 9 (1)

BY: George L. Lister  
PUBLIC SERVICE COMMISSION MANAGER

DATE OF ISSUE October 7, 1987

DATE EFFECTIVE November 7, 1987

ISSUED BY

Don Robertson  
Name of Officer

Chairman

Title

P.O. Box 675, Eddyville, KY

Address

Form for filing Rate Schedules

For \_\_\_\_\_  
Community, Town or City

P.S.C. NO. \_\_\_\_\_

LYON CO. WATER DISTRICT  
Name of Issuing Corporation

\_\_\_\_\_ SHEET NO. \_\_\_\_\_

CANCELLING P.S.C. NO. \_\_\_\_\_

\_\_\_\_\_ SHEET NO. \_\_\_\_\_

CLASSIFICATION OF SERVICE

RATE  
PER UNIT

LYON COUNTY WATER DISTRICT  
PO BOX 1228  
EDDYVILLE, KY 42038  
01-01238-01 11/20/97 12/26  
4157 WEAKLEY LN

EDDYVILLE  
16

	PRESENT	PREVIOUS	USAGE	CHARGES
WT	1718	1715	3	16.00
UT				.48

SHUT OFF NOTICE FOR OVER DUE  
BILLS AFTER THE 20TH WITHOUT  
FURTHER NOTICE. OFFICE 388-0271  
EMERGENCY 832-4786 24 HOURS

MT JULIET TN  
37122

	AMOUNT FOR OUTSTANDING	DUE DATE	AMOUNT FOR OUTSTANDING
R1	18.08	01/10/97	16.48

	AMOUNT FOR OUTSTANDING	DUE DATE	AMOUNT FOR OUTSTANDING
01-01238-01	01/10/97		
	16.48	1.60	18.08

PUBLIC SERVICE COMMISSION  
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DATE OF ISSUE \_\_\_\_\_

DATE EFFECTIVE FEB 20 1997

ISSUED BY \_\_\_\_\_  
Name of Officer

TITLE \_\_\_\_\_  
PURSUANT TO 807 KAR 5.011,  
SECTION 9(1)

BY: Jordan C. Neal  
FOR THE PUBLIC SERVICE COMMISSION

Issued by authority of an Order of the Public Service Commission of Kentucky  
in Case No. \_\_\_\_\_ dated \_\_\_\_\_

RECEIVED

AUG 17 2001  
PUBLIC SERVICE  
COMMISSION

WATER SHORTAGE RESPONSE PLAN

LYON COUNTY WATER DISTRICT

RECEIVED  
AUG 17 2001  
PUBLIC SERVICE  
COMMISSION

Section 1. Purpose. The purpose of this Plan is to provide for the declaration of official phases of water supply shortages and the implementation of voluntary and mandatory water conservation measures throughout the Lyon County Water District in the event a shortage is declared.

Section 2. Definitions. These terms are applicable only for this Plan unless specifically noted.

- (a) "Customer" shall mean any person or entity using water for any purpose from the Lyon County water distribution system and for which either a regular charge is made or, in the case of bulk sales, a cash charge is made at the site of delivery.
- (b) "Raw Water Supplies" shall mean all water potentially available to persons in the Lyon County W. D. Service Area
- (c) "Treated Water" shall mean water that has been introduced by the Lyon County Water District into its water distribution system, including water offered for sale. Uses of treated water are classified as follows:

Essential Water Uses (Class 1):

The following uses of water, listed by site or user type, are essential.

Domestic:

- water necessary to sustain human life and the lives of domestic pets, and to maintain minimum standards of hygiene and sanitation.

Health Care Facilities:

- patient care and rehabilitation, including related filling and operation of swimming pools.

Water Hauling:

- sales of domestic use where not reasonably available elsewhere.

Public Use:

- firefighting,

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PURSUANT TO 807 KAR 5.011,  
SECTION 9(1)

BY: Stephan Bue  
SECRETARY OF THE COMMISSION

- health and public protection purposes, if specifically approved by health officials.

Socially or Economically Important Uses (Class 2):

The following uses of water, listed by site or user type, are socially or economically important.

Domestic:

- personal, in-house water use including kitchen, bathroom and laundry.

Water Hauling:

- non-domestic, when other sources are not reasonably available elsewhere.

Commercial and Civic Use:

- commercial car and truck washes,
- laundromats
- restaurants, clubs and eating places.
- schools, churches, motels/hotels and similar commercial establishments.

Outdoor Non-Commercial Watering:

- minimal watering of vegetable gardens,
- minimal watering of trees where necessary to preserve them.

Outdoor Commercial or Public Watering (using conservation methods and when other sources of water are not available or feasible to use):

- agricultural irrigation for the production of food and fiber or the maintenance of livestock,
- watering by arboretums and public gardens of national, state, regional or community significance where necessary to preserve specimens,
- watering by commercial nurseries at a minimum level necessary to maintain stock,
- watering at a minimum rate necessary to establish or maintain revegetation or landscape required pursuant to law or regulation,

PUBLIC SERVICE COMMISSION  
COMMONWEALTH OF KENTUCKY  
OFFICE OF THE SECRETARY

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By: Shawn R. Brown  
SECRETARY OF THE COMMISSION

- watering of woody plants where necessary to preserve them,
- minimal watering of golf course greens.

#### Recreational:

- operation of municipal swimming pools and residential pools that serve more than 25 dwelling units.

#### Air Conditioning:

- refilling for startup at the beginning of the cooling season,
- makeup of water during the cooling season,
- refilling specifically approved by health officials where the system has been drained for health protection or repair services.

#### Non-Essential Uses (Class 3):

Any waste of water, as defined herein, is non-essential. The following uses of water, listed by site or user type, are non-essential.

#### Public Use:

- use of fire hydrants (excluding Class 1 and Class 2 uses), including use of sprinkler caps, testing fire apparatus and fire department drills,
- flushing of sewers and hydrants except as needed to ensure public health and safety as approved by health officials.

#### Commercial and Civic Use:

- serving water in restaurants, clubs, or eating places, except by customer request,
- failure to repair a controllable leak,
- increasing water levels in scenic and recreational ponds and lakes, except for the minimum amount required to support fish and wildlife.

#### Ornamental Purposes:

- fountains, reflecting pools and waterfalls.

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BY: Stephen D. Bell  
and Jeffrey L. Bell  
SECRETARY OF THE COMMISSION

Outdoor Non-Commercial Watering:

- - use of water for dirt control or compaction,
- watering of annual or non-woody plants, lawns, parks, golf course fairways, playing fields and other recreational areas,
- washing sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surface areas,
- washing down buildings or structures for purposes other than immediate fire protection,
- flushing gutters or permitting water to run or accumulate in any gutter or street.

Outdoor Commercial or Public Watering:

- expanding nursery facilities, placing new irrigated agricultural land in production, or planting of landscaping except when required by a site design review process,
- use of water for dirt control or compaction,
- watering of lawns, parks, golf course fairways, playing fields and other recreational areas,
- washing sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surface areas,
- washing down buildings or structures for purposes other than immediate fire protection,
- flushing gutters or permitting water to run or accumulate in any gutter or street.

Recreational uses other than those specified in Class 2.

Non-commercial washing of motor and other vehicles.

Air Conditioning (see also Class 2 purposes):

- refilling cooling towers after draining.

- PUBLIC SERVICE COMMISSION  
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BY: Shawn B. W.  
SECRETARY OF THE COMMISSION
- (d) "Base Entitlement" shall mean the monthly usage for a customer during the same month of the preceding calendar year or the average per customer usage for each class of service during the same month of the preceding year.
- (e) "Curtailed Entitlement" shall mean the monthly usage for a customer after any curtailment percentage has been applied.

(f) "Curtailment" shall mean the reduction in entitlement by some percentage to meet anticipated water shortages.

(g) Water Shortage Response Phases:

"Advisory" shall mean that conditions exist which indicate the potential for serious raw or treated water supply shortages.

"Alert" shall mean the raw or treated water supplies are consistently below seasonal averages, and if they continue to decline, may not be adequate to meet normal needs.

"Emergency" shall mean that raw or treated water supplies are below the level necessary to meet normal needs and that serious shortages exist in the area.

(h) "Rationing" shall mean that procedures must be established to provide for the equitable distribution of critically-limited raw or treated water supplies, in order to balance demand and limited available supplies, and to assure that sufficient water is available to preserve public health and safety.

Section 3. Applicability. The provisions of this Plan shall apply to all retail and wholesale customers of the Lyon County Water District. When implemented, this Plan becomes LCWD Water Shortage Response Regulation.

Section 4. Entitlements. Entitlements shall be established for each customer by adjusting the base entitlement to reflect any known change in usage pattern.

Section 5. Determination of Water Shortage. Water supply and usage shall be monitored on a continuous basis. Unrestricted demand shall be projected from past records and adjusted for changes such as new developments and weather conditions on a regular basis. (Note: A sample calculation page is attached as Appendix A to assist in determining overall water levels. It is important that accurate water measurements be used.) Water shortages generally occur for two reasons, a reduction in available supplies or a system failure. Each ~~public service commission~~ distinct influence on the nature and duration of the ~~conservation~~ program implemented. Official declaration of a water ~~shortage~~ stage and implementation of the measures necessary to curtail water use shall be approved by the Lyon County Water District **SEP 16 2001**

Section 6. Term of Water Shortage Declaration. ~~SECTION 6 (Water shortage declaration shall remain in effect until water supplies of service conditions have returned to normal)~~ ~~SECRETARY OF THE COMMISSION~~ determination as to terminating a water shortage declaration shall be made by the Chairman of LCWD

PURSUANT TO 807 KAR 5011,

Section 7. Water Shortage Stage, Criteria, Conservation and Curtailment Measures.

A. Advisory Stage:

- (1) Criteria: A water advisory shall be declared when the amount of treated water or raw water available for treatment is projected to be up to 3% below demand, or there are periods of low water pressure in one or more areas of the distribution system due to system failure or inadequacies or the State Division of Water issues a Water Shortage Watch which includes the areas from which the LCWD draws water. (Note: Additional conditions may be added based on local conditions.)
- (2) Conservation and Curtailment Measures:
  - (a) Declare a Water Shortage Advisory.
  - (b) Provide proper notice to all customers and to all local news media.
  - (c) Eliminate all water leaks.
  - (d) Request voluntary conservation of all non-essential (Class 3) water use.
  - (e) Request wholesale customers also issue request for voluntary conservation by their customers of all non-essential (Class 3) water use.

B. Alert Stage:

- (1) Criteria: A water alert shall be declared when the amount of treated water available is projected to be up to 10% below demand, or raw water supplies are consistently below seasonal averages and if they continue to decline, may not be adequate to meet normal needs. (Note: Additional conditions may be added based on local conditions.)
- (2) Conservation and Curtailment Measures:
  - (a) Declare Water Shortage Alert.
  - (b) Provide proper notice to all customers and to all local news media.
  - (c) Eliminate all water leaks.
  - (d) Prohibit all non-essential (Class 3) water uses.

PUBLIC SERVICE COMMISSION  
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SECTION 9(1)

BY: Stephan O. Bell  
SECRETARY OF THE COMMISSION



(e) Curtail entitlements to all customers by the same percentage as the projected shortage.

(f) Begin billing all customer water usage in excess of curtailed entitlement at the normal rate plus an excess usage charge of \$3.00 per 1,000 gallons.

C. Emergency Stage:

1. Criteria: A Water Emergency shall be declared when the amount of treated water available is projected to be up to 20% below demand, or there are periods of no water in one or more areas of the distribution system due to low water supply or raw water supplies below the level necessary to meet normal needs. (Note: Additional conditions may be added based on local conditions.)

2. Conservation and Curtailment Measures:

(a) Declare Water Shortage Emergency.

(b) Provide proper notice to all customers and to all local news media.

(c) Eliminate all water leaks.

(d) Prohibit all Class 3 uses of water.

(e) Prohibit all Class 2 uses of water except Domestic uses for kitchens, bathrooms and laundries.

(f) Curtail all commercial and industrial entitlements (except Health Care Facilities) by 100%.

(g) Curtail Residential entitlements by the same percentage as the projected shortage.

(h) Curtail entitlements to all wholesale customers by the same percentage as the projected shortage.

(i) Begin billing all customer water usage in excess of curtailed entitlement at the normal rate plus an excess usage charge of \$7.00 per 1,000 gallons.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY

BY: Stephan D. Bell

SECRETARY OF THE COMMISSION

PURSUANT TO 807 KAR 5.011.  
SECTION 9 (1)

D. Rationing Stage:

1. Criteria: Treated water available is 40% below demand or raw water supplies are below

the level necessary to meet essential needs, and in the opinion of LCWD mandatory rationing is required to insure adequate water is available to maintain public health and safety.

2. Conservation and Curtailment Measures:

- (a) Declare Water Shortage Rationing.
- (b) Provide proper notice to all customers and to all local news media.
- (c) Eliminate all water leaks.
- (d) Prohibit all Class 3 and Class 2 uses of water.
- (e) Curtail all commercial and industrial entitlement (except Health Care Facilities) by 100%.
- (f) Curtail all residential and wholesale entitlements by the same percentage as the projected shortage.
- (g) Implement service interruptions to portions of system in accordance with approved published schedule. The schedule shall be provided to all local media.
- (h) Begin billing customer water usage in excess of curtailment entitlement at the normal rate plus an excess usage charge of 15.00 per 1,000 gallons.

Section 8. Enforcement of Water Restriction. Any person who violates the provisions of this Plan, who fails to carry out the duties and responsibilities imposed by this Plan, or who impedes or interferes with any action undertaken or ordered pursuant to this Plan shall be subject to the following:

- (a) If the utility official charged with implementation and enforcement of this Plan learns of any violation of any water use restriction imposed, a written notice of the violation shall be affixed to the property where the violation occurred and mailed to the customer of record. Said notice shall describe the violation and order that it be corrected, cured, or abated immediately or within 48 hours.
- (b) The notice will inform the customer of his or her right to appeal by requesting a hearing before the utility's designee. If a hearing is requested by the customer, he or she shall be given full opportunity to be heard.

PUBLIC SERVICE COMMISSION  
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SEP 16 2001

PURSUANT TO 807 KAR 50.11,  
SECTION 8(1)  
By: Secretary of the Commission  
SECRETARY OF THE COMMISSION

before termination. The governing body shall make findings of fact and decide whether service should continue or terminate.

- (c) Any customer whose water service is terminated for violating provisions of this water curtailment plan shall be subject to the approved reconnection fee prior to reconnection of service.
- (d) The excess usage charge billing provisions of this Plan shall not be put in effect if a county or city ordinance containing penalty provisions is in effect to assist enforcement of this Plan.

**Section 9. Request for Exception.**

(a) Exception to water use restrictions: If compliance with any curtailment measure authorized herein would cause a customer to bear extraordinary hardship, that individual or entity may apply to the Lyon County Water District for an exception. For these purposes, "extraordinary hardship" shall be defined as a condition which may threaten health and safety, or cause property or economic losses, each of which must be shown to be substantially more severe than the sacrifices borne by other users. If extraordinary hardship is found to exist, then an exception shall be granted and a written waiver issued to the customer. If an appeal is made, water service shall be continued until a decision is announced. Any person aggrieved by the decision may file a complaint with the Public Service Commission.

- (b) Exception to curtailment surcharge: Exceptions to excess use charges shall not be considered or granted.

**Section 10. Severability.** If any provision of this Plan is declared invalid by the courts, the remainder of the Plan and its applicability to other persons and circumstances shall not be affected by that declaration.

**Section 11. Effective Date.** This Plan shall take effect immediately upon approval by the Public Service Commission.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

**SEP 16 2001**

PURSUANT TO 807 KAR 5.011,  
SECTION 9 (1)

BY: Stephan D. Bell  
SECRETARY OF THE COMMISSION